IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.7062 of 2020

Dr.M.Selvamba
W/o.Dr.Rajkumar
Proprietor : M/s.Niharika Hospital
Registration No.PNA/2326/2003
No.324, Cuddalore Main Road,
Vazhapadi, Salem District. ...Petitioner

Vs.

1.The District Appropriate Authority cum
Joint Director of Health Service,
Salem District.

2.The Sub District Appropriate Authority cum
Senior Civil Surgeon and Medical Officer,
Government Hospital,
Vazhapadi,
Salem District. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the first respondent to dispose the appeal dated 10.01.2020 filed against the order of the second respondent in A.Thi.Mu.Na.Ka.No.428/2019 and grant renewal of certificate of registration of the petitioner's scan centre namely Niharika Hospital, Vazapadi, Salem District.

For Petitioner : Mr.V.Thillaikumar

For Respondents: Mr.D.Suriyanarayanan
Additional Government Pleader

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O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the respondents.

3. This writ petition is filed seeking for a mandamus to direct the first respondent to dispose the appeal dated 10.01.2020 filed against the order of the second respondent in

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A.Thi.Mu.Na.Ka.No.428/2019 and grant renewal of certificate of registration to the petitioner's scan centre namely Niharika Hospital, Vazapadi, Salem District.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

5. The writ petitioner has applied for renewal of licence for her scan centre and such application was rejected by the second respondent on 12.12.2019. Challenging the said rejection, the petitioner filed an appeal before the first respondent on 10.01.2020. The grievance of the petitioner is that the said appeal has not been considered and disposed of so far.

6. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the appeal on its own merits and in accordance with law. Thus, without expressing any view on the merits of the matter, the Writ Petition is disposed of only by directing the first respondent to consider the appeal filed by the petitioner and pass orders on the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vri/mk

To

1.The District Appropriate Authority cum
Joint Director of Health Service,
Salem District.

2.The Sub District Appropriate Authority cum
Senior Civil Surgeon and Medical Officer,
Government Hospital,
Vazhapadi,
Salem District.

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NSA(CO)
GN(25/09/2020)

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